UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

)
)
JERRY BIESER,)
)
Plaintiff,) No. 4:12-CV-386-JAR
)
V.)
J.E. PHILLIPS & SONS, INC.,)
)
Defendant.)

MEMORANDUM AND ORDER

Following a telephone conference with the parties on April 17, 2013, the Court hereby denies the Joint Motion of Plaintiff and Defendant to Amend Scheduling Order [ECF No. 23] as moot and grants the Plaintiff's Motion for Leave to Disclose Expert Witness Outside the Scheduling Order. [ECF No. 18]

Accordingly,

IT IS HEREBY ORDERED that the Joint Motion of Plaintiff and Defendant to Amend Scheduling Order [23] is **DENIED** as moot. The parties shall resubmit a joint motion to amend the case management order with a new trial date within five (5) days of the date of this order.

IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to Disclose Expert Witness Outside the Scheduling Order [18] is GRANTED.

Dated this _17th____ day of April, 2013.

JOHN A. ROSS

John a. Ross

UNITED STATES DISTRICT JUDGE